

BRADLEY S. PHILLIPS (State Bar No. 085263)
SETH J. FORTIN (State Bar No. 302790)
MUNGER, TOLLES & OLSON LLP
350 South Grand Avenue, 50th Floor
Los Angeles, CA 90071-1560
Telephone: (213) 683-9100
Facsimile: (213) 687-3702

ADELE M. EL-KHOURI (*Admitted Pro hac vice*)
MUNGER, TOLLES & OLSON LLP
1155 F Street, NW, 7th Floor
Washington, D.C. 20004
Telephone: (202) 220-1100
Facsimile: (202) 220-2300

Attorneys for Defendants
BOARD OF TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY, SAN FRANCISCO STATE UNIVERSITY; LESLIE WONG; MARY ANN BEGLEY; LUOLUO HONG; LAWRENCE BIRELLO; REGINALD PARSON; OSVALDO DEL VALLE; KENNETH MONTEIRO; BRIAN STUART; ROBERT NAVA; MARK JARAMILLA; VERNON PICCINOTTI; AND SHIMINA HARRIS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JACOB MANDEL, et al.

CASE NO. CV 3:17-cv-03511-WHO

Plaintiffs,

vs.

BOARD OF TRUSTEES OF THE
CALIFORNIA STATE UNIVERSITY,
SAN FRANCISCO STATE
UNIVERSITY, et al.

Defendants

**STIPULATION AND ORDER
REGARDING BRIEFING SCHEDULE
AND HEARING DATE FOR RULE 12
MOTIONS AND CASE MANAGEMENT
CONFERENCE**

Judge: Hon. William H. Orrick III
Dept: Courtroom 2, 17th Floor
Date: November 8, 2017
Time: 2:00 p.m.

STIPULATION

Plaintiffs Jacob Mandel, Charles Volk, Liam Kern, Masha Merkulova, Aaron Parker, and Stephanie Rosekind (“Plaintiffs”); Defendants The Board of Trustees of California State University, San Francisco State University, Leslie Wong, Mary Ann Begley, Luoluo Hong, Lawrence Birello, Reginald Parson, Osvaldo del Valle, Kenneth Montreiro, Brian Stuart, Robert Nava, Mark Jaramilla, Vernon Piccinotti, and Shimina Harris (“CSU Defendants”); and Defendant Rabab Abdulhadi (“Abdulhadi”, collectively with the CSU Defendants, “Defendants,” and collectively with Plaintiffs and the CSU Defendants, “the Parties”), through their respective counsel, hereby stipulate as follows, pursuant to Local Rule 6-2:

10 Whereas the Court has scheduled a Case Management Conference for September
11 19, 2017;

12 Whereas Defendants have filed Rule 12 motions to dismiss the entirety of
13 Plaintiffs' Complaint;

Whereas the Court has previously approved a briefing and hearing schedule for the CSU Defendants' motions, with a hearing set for Wednesday, November 8, 2017;

16 Whereas counsel for Plaintiffs have represented that Plaintiffs intend to amend their
17 Complaint no later than Friday, September 1, 2017; and

18 Whereas lead counsel for the CSU Defendants will be traveling out of the country
19 from September 17 through October 15, 2017,

Plaintiffs and Defendants agree to the following schedule for the briefing and hearing of any Rule 12 motions Defendants may file in response to the amended complaint; this proposed schedule is, other than with respect to the deadline for Defendants' Rule 12 motions with respect to the amended complaint, the same as the schedule previously approved by the Court:

- Defendants' motions shall be filed no more than 14 days after the filing of the amended complaint.
 - Plaintiffs' opposition brief(s) shall be filed no later than October 11, 2017.
 - Defendants' reply briefs shall be filed no later than October 25, 2017.

- The hearing on Defendants' motions shall, subject to the availability of the Court, be held on Wednesday, November 8, 2017, at 2:00 p.m.

The Parties also agree to continue the initial Case Management Conference (“CMC”), currently scheduled for September 19, 2017, to November 8, 2017, at 2:00 p.m., the same date of the hearing on the Rule 12 motions, subject to the availability of the Court. The Parties understand that the Court ordinarily holds CMCs on Tuesdays, but certain counsel for the Parties will be traveling to San Francisco for the hearing and CMC, including from the East Coast, and Plaintiffs and Defendants believe this would be the most efficient option for both the Court and the Parties’ counsel.

Plaintiffs and the CSU Defendants previously requested an extension of time with respect to the filing and service of oppositions and replies with regard to Defendants' Rule 12 motions. [Dkt. No. 42.] The current request does not further extend those deadlines. The Parties have not previously requested a continuance of the CMC.

Because this action is still in the pleading stage and no dates have been set for the completion of discovery or trial, the requested schedule will not significantly affect the case schedule.

MUNGER, TOLLES & OLSON LLP
BRADLEY S. PHILLIPS

By: /s/ Bradley S. Phillips

BRADLEY S. PHILLIPS

Attorneys for Defendants The Board of Trustees of California State University, San Francisco State University, Leslie Wong, Mary Ann Begley, Luoluo Hong, Lawrence Birello, Reginald Parson, Osvaldo del Valle, Kenneth Montreiro, Brian Stuart, Robert Nava, Mark Jaramilla, Vernon Piccinotti, and Shimina Harris

1 DATED: August 29, 2017

MARK ALLEN KLEIMAN

3 By: /s/ Mark Allen Kleiman
4 MARK ALLEN KLEIMAN

6 GAVIN, CUNNINGHAM & HUNTER LLP
7

8 By: /s/ Alan Hunter
9 ALAN HUNTER

10 Attorneys for Defendant Rabab Abdulhadi
11

12 DATED: August 29, 2017

WINSTON & STRAWN LLP

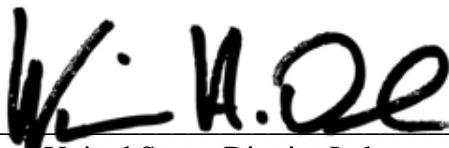
14 By: /s/ Seth Weisburst
15 SETH WEISBURST

16 Attorneys for Plaintiffs
17 JACOB MANDEL, CHARLES VOLK,
18 MASHA MERKULOVA, AARON PARKER,
19 and STEPHANIE ROSEKIND

20 **ORDER**

21 IT IS SO ORDERED.

22 DATED: August 29, 2017

23 
24 _____
25 United States District Judge